

## **REMARKS**

Claims 1-6, 8, 12, 17-34, 39-51, 53, and 54 have been amended. Claim 7 has been cancelled without prejudice. Claims 1-6 and 8-54 remain pending in the application for consideration. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application.

### **§103 Rejection**

**Claims 1-54** are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,701,383 to Wason et al. (hereinafter “Wason”) in view of U.S. Patent 7,171,448 to Danielson et al. (hereinafter “Danielson”), and in further view of U.S. Patent 5,754,774 to Bittinger et al. (hereinafter “Bittinger”).

For the reasons set forth below, Applicant respectfully traverses the rejection.

Before discussing the specific rejections in the current Office Action, the following discussion of Wason, Danielson, and Bittinger is provided.

### **The Wason Reference**

Wason is directed to an abstraction layer that provides an interface between a framework (*i.e.*, Realplayer media player) and one or more plug-ins (*i.e.*, Realplayer Table of Contents). A Synchronization Abstraction Layer (SAL) synchronizes itself and other plug-ins to the underlying framework. Specifically,

the plug-ins interact with the underlying framework through the SAL, rather than directly with the framework. The SAL is implemented on top of the synchronization of the Application Programming Interfaces (API's) provided by the underlying frameworks.

### **The Danielson Reference**

Danielson is directed to coordinating activities between users in a collaborative work tool architecture. First, users receive activity data from a facilitator. The users then perform activities using the activity data, and meeting data is created based on the user's activities. A session report is then generated based on the activity data and the meeting data. Lastly, the session data is stored so that it may be queried at a later date.

### **The Bittinger Reference**

Bittinger is concerned with combining low speed communications technology (*i.e.*, wireless communications) with web technology. Specifically, communications are improved between a web browser resident on a first computer and a web server application resident on a second computer. The first computer's Hyper Text Transfer Protocol (HTTP) data stream is converted to a client/server specific communications protocol, and transmitted to the second computer as a client/server specific data stream. The second computer then

reconstructs the client/server data stream to create the HTTP data stream.

## **The Claims**

**Claim 1** has been amended and recites a system, comprising [added language is indicated in bold italics]:

- a web browser and not a media player configured to provide timing representations to ***third party*** media players;
- a plurality of ***third party*** media players, each of the plurality of ***third party*** media players including a first interface for object management and a second interface for exchanging timing and synchronization information with the web browser; and
- a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of ***third party*** media players by exchanging, without user input, command and state change information between the web browser and each of the plurality of ***third party*** media players, the player-hosting peer coordinating the web browser and the plurality of ***third party*** media players, each having different notions of time, while displaying multiple disparate types of content that are incorporated into a single document, ***wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync.***

Applicant has amended Claim 1 to recite “a plurality of third party media players”. Support for this amendment can be found in the Applicant’s Specification at Page 2, lines 16-17. Specifically, “[i]n accordance with certain inventive principles, a software framework is provided that allows seamless integration of third party media players into a web browser.”

Applicant has also amended Claim 1 to recite “wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out

of sync". Support for this amendment can be found in cancelled Claim 7, and in related portions of the Applicant's Specification.

In rejecting this claim, the Office argues that Claim 1 is unpatentable over Wason, in view of Danielson, and in further view of Bittinger. In light of the above amendments, and for the reasons discussed below, Claim 1 is allowable over Wason, Danielson, and Bittinger

First, Wason, Danielson, and Bittinger fail to teach or suggest "a web browser and not a media player configured to provide timing representations to third party media players", as recited by Claim 1.

The Office conceded that "Wason does not disclose a web browser and not a media player configured to provide timing representations", (Office Action Page 4). The Office then cites to Danielson, Column 14, lines 15-25, Column 14, lines 32-45, Column 15, lines 40-45, and Column 18, lines 28-33, for teaching the recited element.

Danielson teaches that "Fig. 4 is a flowchart illustrating a method 400 for listing activities in a graphical user interface in a ***collaborative work tool framework***... In an initial operation 402, an activity window having ***activity start data, activity duration data, and an activity status is displayed***. Then, an activity is defined in response to user selection of an activity button, wherein the defined activity is thereafter displayed in the activity window as shown in operation 404. Finally, in operation 406, ***a status for the defined activity is determined*** based on

activity start data for the defined activity and activity duration data for the defined activity”.

Danielson also teaches that “FIG. 12 is a flow chart illustrating a method 1200 for reporting in ***collaborative work tool architecture***... A client user interface including an activity data field is displayed in an initial operation. Then, in operation 1204, the activity data is received from a facilitator user, wherein the activity data includes a title for the activity and a status of the activity.”

Danielson further teaches that “the activity may be defined as ***a brainstorming activity***. Alternatively, the activity may be defined as ***a discussion activity***. Optionally, the activity may be defined as ***a categorization activity***. Also optionally, the activity may be defined as a ***voting activity***. In addition, the activity may be defined as a ***summary activity***”, (Column 14, lines 24-30).

Thus, Danielson’s collaborative work tool framework is used for brainstorming, discussions, categorizing activities, and summary activities. There is nothing the cited sections, as well as the entire Danielson reference, that discloses, teaches, or suggests “a web browser and not a media player configured to provide ***timing representations to third party media players***”. Bittinger fails to cure the deficiency of Wason and Danielson.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to disclose, teach, or suggest “a web browser and not a media player configured to provide timing representations to third party media players”,

as recited in Claim 1.

Wason, Danielson, and Bittinger also fail to disclose, teach or suggest “a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of third party media players”, as recited by Claim 1.

In making the rejection, the Office cites to Column 2, lines 26-41 of Wasson for teaching the recited element.

Wason teaches that “[t]his invention is an abstraction layer providing a uniform interface between a framework and one or more plug-ins. In the preferred embodiment, the invention is a Synchronization Abstraction Layer (SAL) abstracting time based frameworks into a common synchronization interface. The SAL *synchronizes itself and other plug-ins* to a time line of the underlying framework and it does that independently of the underlying framework.”

Wason further teaches that “*RealPlayer 301 periodically calls SAL 310 with current time*, SAL 310 passes the current time to JVM 313 which in turn notifies RealTOC [real table of contents] 314; RealTOC 314 highlights the appropriate node on the table of contents tree... A similar process can be constructed with the *SAL keeping current time and calling the RealPlayer 301 with time updates*”, (Column 5, lines 55-65).

Thus, the SAL *provides the current time to the RealTOC* which uses it to highlight nodes in the table of contents. The SAL also *provides time updates to*

*the RealPlayer.* However, the SAL does not “***negotiat[e] a playback state and a rendering status*** between the web browser and each of the plurality of ***third party media players***.” The recited element is simply missing. Danielson and Bittinger fail to cure the deficiency of Wason.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to disclose, teach, or suggest “a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of media players” as recited in Claim 1.

Wason, Danielson, and Bittinger also fail to disclose, teach, or suggest “exchanging, without user input, command and state change information between the web browser and each of the plurality of media players,” as recited by Claim 1.

The Office conceded that “Wason does not disclose the recited element” (Office Action Pages 3 to 4). In making the rejection, the Office cites to various sections of Danielson for disclosing the recited element.

As discussed above, Danielson’s ***collaborative work tool framework*** is used for brainstorming, discussions, categorizing activities, and summary activities. Danielson has nothing to do with ***web browsers and media players***, and therefore does not “exchang[e]... ***command and state change information*** between the web browser and each of the plurality of ***media players***”. Bittinger fails to cure the deficiency of Wason and Danielson.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to disclose, teach, or suggest “exchanging, without user input, command and state change information between the web browser and each of the plurality of media players,” as recited in Claim 1.

Finally, Wason, Danielson, and Bittinger fail to disclose, teach, or suggest “wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync”, as recited by Claim 1.

In rejecting Claim 7, which has been incorporated in Claim 1, the Office cited to Column 5, line 54 to Column 6, line 23 of Wason for teaching the recited element.

Wason teaches that “[a]s the time line increases during the presentation, *RealPlayer 301 periodically calls SAL 310 with the current time, SAL 310 passes the current time to JVM 313, which in turn notifies RealTOC 314*; RealTOC 314 highlights the appropriate node on the table of contents tree rendered in the table of contents window. A similar process can be constructed with *the SAL keeping the current time and calling the RealPlayer with time updates*.

*When the user clicks on a particular heading within the table*, RealTOC 314 sends the “*begin*” time associated with the heading to the “*seek*” function of RealPlayer 301 through JVM 313 and SAL 310. RealPlayer 301 notifies all synchronized media servers of the new “*begin*” time, waits for all the media servers to synchronize to the new time, then updates its internal current time and

sends the new current time to its extension modules... Seek function is only one example of controlling the flow of data. ***Fast forward*** and ***rewind*** functions also control the flow of data by changing the rate of flow”.

Thus, Wason teaches that the SAL provides the ***current time*** to the RealTOC and ***time updates*** to the RealPlayer. Wason also teaches that in response to a ***user clicking on a particular heading*** in the table of contents, the RealTOC sends the “begin time” associated with the heading to the RealPlayer, which notifies the media servers of the new begin time.

Therefore, the begin time, seek, fast forward, and rewind functions cited by the Office are typical ***user selectable media player functions***. There is nothing in the cited section, as well as the entire Wason reference that discloses, teaches, or suggests that the SLA (player-hosting peer) “transitions through states including ***inactive, active, waiting for data, and out of sync***”. The recited element is simply missing. Danielson, and Bittinger fail to cure the deficiency of Wason.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to disclose, teach, or suggest “wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync”, as recited in Claim 1.

For all the reasons discussed above, and in light of the current amendments, Claim 1 is allowable over Wason, Danielson, and Bittinger.

**Claims 2-6 and 8-38** depend from independent Claim 1 and are allowable by virtue of their dependency from Claim 1, as well as for the additional features that they recite.

**Claim 39** has been amended and recites a method comprising the steps of [added language is indicated in bold italics]:

- providing, by a web browser and not a media player, a timing representation to each of a plurality of ***third party*** media players;
- providing a first media player interface for object management and a second media player interface for exchanging timing and synchronization information with the web browser;
- ***providing a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of third party media players, wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync;***
- issuing commands from the ***player-hosting peer*** to each of the plurality of ***third party*** media players, the commands being directed to media player operations other than, and in addition to, instantiation of the plurality of ***third party*** media players, issuing commands including coordination command among the web browser and the plurality of ***third party*** media players, each having different notions of time, while displaying multiple disparate types of content that are incorporated into a single document; and
- notifying the web browser of changes of the states of the plurality of third party media players.

Applicant has amended Claim 39 to recite “providing, by a web browser and not a media player, a timing representation to each of a plurality of third party media players”. As noted above, support for this amendment can be found in the Applicant’s Specification at Page 2, lines 16-17.

Applicant has also amended Claim 39 to recite “providing a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of third party media players, wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync”.

Support for this amendment can be found in Figure 2, and Page 14, line 18 to Page 15, line 2 of the Applicant’s Specification. Specifically, “media player hosting is managed by a component, referred to as a player hosting peer 200, which will typically be implemented in software and built into a web browser 202. The peer preferably negotiates playback state and rendering status between the browser 202 and the player 204.”

In rejecting this claim, the Office argues that Claim 39 is unpatentable over Wason, in view of Danielson, and in further view of Bittinger. In light of the above amendments, and for the reasons discussed below, Claim 39 is allowable over Wason, Danielson, and Bittinger

First, Wason, Danielson, and Bittinger fail to disclose, teach, or suggest “providing, by a web browser and not a media player, a timing representation to each of a plurality of third party media players”, as recited by Claim 39.

As discussed above, Danielson’s collaborative work tool framework is used for brainstorming, discussions, categorizing activities, and summary activities. There is nothing the cited sections, as well as the entire Danielson

reference, that discloses, teaches, or suggests “providing, by a web browser and not a media player, a ***timing representation*** to each of a plurality of ***third party media players***”. Bittinger fails to cure the deficiency of Wason and Danielson.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to disclose, teach, or suggest “providing, by a web browser and not a media player, a timing representation to each of a plurality of third party media players”, as recited in Claim 39.

Wason, Danielson, and Bittinger also fail to disclose, teach, or suggest “providing a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of third party media players”, as recited by Claim 39.

The Office conceded that “Wason does not disclose a web browser and not a media player configured to provide timing representations”, (Office Action Page 9). The Office then cites to Danielson, Column 14, lines 15-25, Column 14, lines 32-45, Column 15, lines 40-45, and Column 18, lines 28-33, for teaching the recited element.

As discussed above, the SAL provides ***the current time to the RealTOC*** which uses it to highlight nodes in the table of contents. The SAL also provides ***time updates to the RealPlayer***. However, the SAL does not “***negotiate[e] a playback state and a rendering status*** between the web browser and each of the

plurality of *third party media players*.” The recited element is simply missing. Danielson and Bittinger fail to cure the deficiency of Wason.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to teach or suggest “providing a player-hosting peer within the web browser for negotiating a playback state and a rendering status between the web browser and each of the plurality of third party media players”, as recited in Claim 39.

Wason, Danielson, and Bittinger also fail to teach or suggest “wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync”, as recited by Claim 39.

As discussed above, the functions cited by the Office are typical *user selectable media player functions* (i.e., begin, seek, fast forward, and rewind). There is nothing in the cited section, as well as the entire Wason reference, that teaches or suggests a player-hosting peer “transition[ing] through states including *inactive, active, waiting for data, and out of sync*”. The recited element is simply missing. Danielson and Bittinger fail to cure the deficiency of Wason.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to teach or suggest “wherein the player-hosting peer transitions through states including inactive, active, waiting for data, and out of sync” as recited in Claim 39.

Finally, Wason, Danielson, and Bittinger fail to disclose, teach, or suggest

“issuing commands from the player-hosting peer to each of the plurality of third party media players, the commands being directed to media player operations other than, and in addition to instantiation of the plurality of third party media players...”, as recited by Claim 39.

In making the rejection, the Office cites to Column 2, lines 26-41 and Column 5, lines 59-65 of Wason for teaching the recited element.

As discussed above, the Synchronization Abstraction Layer (SAL) provides the *current time to the RealTOC* (table of contents) which uses it to highlight nodes in the table of contents. Alternatively, the SAL *calls the RealPlayer with time updates*. Thus, the SAL provides the current time to RealTOC, it does not *“issue[e] commands... to each of the plurality of third party media players”*. Danielson and Bittinger fail to cure the deficiency of Wasson.

Accordingly, Wason, Danielson, and Bittinger, either alone or in combination, fail to disclose, teach, or suggest “issuing commands from the player-hosting peer to each of the plurality of third party media players, the commands being directed to media player operations other than, and in addition to, instantiation of the plurality of third party media players...”, as recited in Claim 39.

For all the reasons discussed above, and in light of the current amendments, Claim 39 is allowable over Wason, Danielson, and Bittinger.

**Claims 40-54** depend from independent Claim 39 and are allowable by virtue of their dependency from Claim 39, as well as for the additional features that they

recite.

**Conclusion**

Applicant respectfully submits that Claims 1-6 and 8-54 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter remain unresolved, the undersigned respectfully requests a telephone conference with the Examiner to resolve any outstanding matter.

Respectfully Submitted,

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